## REMARKS

The office action rejects claims 1-34 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-26 of U.S. Patent No. 6,580,595.

In response, the applicant submits herewith a terminal disclaimer over U.S. Patent No. 6,580,595 to moot those rejections.

In view of the foregoing, I now believe the application is in condition for allowance.

Respectfully Submitted,

11-26-2008 /RichardNeifeld#35,299/

Date Richard A. Neifeld, Ph.D.

Registration No. 35,2999

Attorney of Record

## BTM

November 26, 2008 (3:32pm)

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